

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

VERONICA VALENTINE,

Plaintiff,

vs.

**LISA VILLWOK, #1764; and JENNIFER
HANSEN, #1585;**

Defendants.

8:16CV131

8:16CV174

**AMENDED MEMORANDUM
AND ORDER**

This matter is before the Court on the Plaintiff's Motion for Leave to Appeal in Forma Pauperis, ECF No. 226, from the Court's Findings of Fact and Conclusions of Law issued on February 21, 2018, see ECF No. 219; and the request to appeal in forma pauperis, ECF No. 233, from the Court's Memorandum and Order denying of Plaintiff's motion to have a trial transcript prepared at Government expense, see ECF No. 232. The Court granted Plaintiff's request to appeal the Court's Findings of Fact and Conclusions of Law in forma pauperis pursuant to Federal Rule of Appellate Procedure 24(a)(3).¹ The Court subsequently denied Plaintiff's request for a trial transcript prepared at Government expense because the Court found that Plaintiff's appeal was frivolous pursuant to 28 U.S.C. § 753(f). See Memorandum and Order, ECF No. 232 ("Plaintiff abandoned her case, exiting the courtroom during cross-examination of her testimony. Thus, the Court finds Plaintiff's appeal to be frivolous and will, therefore, deny her request for a transcript at government expense."). Accordingly, the Court will

¹ Fed. R. App. P. states that "[a] party who was permitted to proceed in forma pauperis in the district court action, . . . may proceed on appeal in forma pauperis without further authorization, unless . . . the district—before or after the notice of appeal is filed—certifies that the appeal is not taken in good faith"

amend its prior Order, ECF No. 227, and deny Plaintiff's request to appeal in forma pauperis from the Court's Findings of Fact and Conclusions of Law because Plaintiff's appeal is not taken in good faith. The Court will similarly deny Plaintiff's request to appeal in forma pauperis from the Court's Memorandum and Order, ECF No. 232, denying her request for a trial transcript prepared at Government expense because that appeal is also not taken in good faith.

IT IS ORDERED:

1. Plaintiff's Motion for Leave to Appeal in Forma Pauperis, ECF No. 226, in Case No. 8:16cv131 and ECF No. 221 in Case No. 8:16cv174, is denied;
2. Plaintiff's request to appeal in forma pauperis, ECF No. 233 in Case No. 8:16cv131 and ECF No. 227 in Case No. 16cv174, from the Court's Memorandum and Order, ECF No. 232 in Case No. 16cv131 and ECF No. 226 in Case No. 8:16cv174, is denied; and
3. The Clerk of court shall provide the Eighth Circuit Court of Appeals with a copy of this Memorandum and Order.

Dated this 3rd day of April, 2018.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge